

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA, : Civil No. 12-2039 (GAG)

Plaintiff :

V.

COMMONWEALTH OF PUERTO RICO, :  
PUERTO RICO POLICE DEPARTMENT,

Defendants:

Iris Guardiola-Calderón, Putative Intervenor

MOTION FOR ADDITIONAL TIME TO RESPOND TO MOTION TO STRIKE

NOW COMES the putative intervenor, Iris Guardiola-Calderón (“Ms. Guardiola”),  
through undersigned counsel, and respectfully moves as follows for the reasons stated herein:

1. No sooner had her Motion to Intervene (ECF 818) been submitted, Defendants filed a  
Motion to Strike (ECH #824), claiming that the request to intervene was in violation of the  
Agreement in this case.

2. As defendants correctly point out Ms. Guardiola is not a party to this case. Therefore (a)  
she cannot be in violation of an agreement she was never a party to, and (b) defendants misconstrue  
the point of intervention. It is not to enforce the Agreement, but to point out its inadequacies, from  
the point of view of those it was intended to benefit. Ms. Guardiola seeks to bring these to the  
attention of the Court in order to ensure that the Agreement does not, under Puerto Rico’s current  
circumstances, become a shield of absolute immunity, eradicating citizen accountability as the  
primary measure of respect for civil rights.

3. While defendants just as hastily sought to strike their motion to strike in order to file a corrected one, it appears that the latter will contain the same substance.

4. Counsel is hindered in her ability to effectively oppose any Motion to Strike by the fact that she is in Italy, on what was supposed to be a non-working family vacation. Her access to internet and legal research abilities are sharply curtailed.

5. It is respectfully suggested that this issue warrants careful consideration from the perspective of the parties and the prospective intervenor, who has resorted to this Court as the only hope for vindicating constitutional rights.

6. Counsel will return to her office on May 5, 2018. She will be able to respond by May 11, 2018.

WHEREFORE, it is respectfully requested that no decision upon any Motion to Strike, to Dismiss, or of similar nature, be decided until after response from counsel, and that the time for making any such response be extended to: May 11, 2018.

RESPECTFULLY SUBMITTED:

s/Linda Backiel  
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#### CERTIFICATE of SERVICE

I hereby certify that I have filed the above using the court's electronic filing system which will notify the only parties to this action.

25 April 2018

s/Linda Backiel